

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

IN RE:	§	
OIL PATCH TRANSPORTATION, INC.	§	Case No. 17-80152
Debtor	§	Chapter 11

**AMENDED DEBTOR'S EMERGENCY
MOTION FOR AUTHORITY TO USE CASH COLLATERAL
AND FOR FINAL HEARING**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 14 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT CONSIDERS THE MOTION ON AN EMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN 14 DAYS TO ANSWER. IF YOU OBJECT TO THE REQUESTED RELIEF OR IF YOU BELIEVE THAT THE EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.

THERE WILL BE A HEARING ON THIS MOTION AS FOLLOWS:

**ON MAY 16, 2017 AT 4:30 P.M. IN, COURTROOM 404, FEDERAL BUILDING,
515 RUSK AVE HOUSTON, TEXAS 77002**

AND

**ON MAY 16, 2017 AT 4:30 P.M. IN VIDEO CONFERENCE ROOM 709, U.S.
COURTS, 601 25TH ST., GALVESTON, TX**

TO THE HONORABLE UNITED STATES BANKRUPTCY COURT:

Oil Patch Transportation Inc. ("OPT") represents:

1. OPT is the chapter 11 debtor.
2. OPT is in the transportation business. It serves the oil and gas industry in Brazoria County, Texas and the surrounding counties. It operates on a fiscal year of July through June. Gross income for fiscal year 2015 was \$9,609,160. For 2016, it was \$4,998,418.
3. It is fully insured and permitted to provide the services that it does.
4. OPT has 6 employees and has four drives were are contract owner operators and operate as independent contractors.
5. OPT has been in the transportation business for 11 years.
6. OPT requires the use of cash collateral on an emergency basis to prevent irreparable harm to the Estate. Irreparable harm to the Estate will exist if cash collateral is not allowed to be used immediately because OPT must operate its business and make purchases to do so. These include the purchase fuel on a COD, utilities, repairs, maintenance, office expenses, payroll and paying owner operators.
7. Collections are from the Debtor's operations.
8. Attached hereto as Exhibit "A" is a budget showing the uses of the cash collateral through May 31, 2017. To the extent revenue is insufficient to meet the expenses shown, it will not be spent.
9. OPT proposes to grant all lenders with a security interest in the cash to be used replacement liens to the extent of their priority, validity and extent as of the bankruptcy filing date of this case
10. It appears that the only secured creditors whose claims may be perfected are shown below (subject to further review):

Name	Collateral (generally)	Date UCC recorded
Advantage Group	All personal property	December 28, 2012
Classic Bank	Specified rolling stock	June 22, 2010 with amendments and continuation statements filed.
Corporation Service Company, as Representative (Rapid Capital Finance LLC)	All personal property and asserts an ownership in certain receivables.	October 15, 2016
Forward Financing	None and asserts an ownership in certain receivables.	January 4, 2017
Gulf Coast Bank and Trust Company	All personal property and asserts an ownership in certain receivables.	July 14, 2006 with continuation statements filed.
Signature Business Leasing	Specified rolling stock	April 2, 2014
Stearns Bank	Specified rolling stock	June 17, 2013
Sun Trust Equipment	Specified rolling stock	June 30, 2017
Wells Fargo	Specified rolling stock	June 27, 2014

11. OPT asks that a final hearing be set prior to May 31, 2017.

WHEREFORE, OPT prays that the Court authorize OPT to use cash collateral as requested herein and grant OPT such other and further relief in law and in equity as is just.

Dated: May 16, 2017

Respectfully submitted,

The Gerger Law Firm, PLLC

By: /s/ Alan S. Gergver

Alan S. Gerger

Texas State Bar No. 07816350

Texas Federal ID 2646

2211 Norfolk Street, Suite 517

Houston, Texas 77098

Telephone: 713-300-1430

Facsimile: 888-317-0281

asgerger@gerglaw.com

bkpfilings@gerglaw.com

ATTORNEY FOR OIL PATCH
TRANSPORTATION INC.